

## BEST AVAILABLE COPY

PATENT  
09/826,707

Claims 15 and 16 (cancelled)

1 17. (currently amended) The method of claim ~~16~~ 14 further  
2 including the step of enabling a telephone user to switch  
3 between said short range and long range communication  
4 whenever said member is not outside of said short range.

1 18. (original) The method of claim 17 further including the  
2 step of tracking the respective times of telephone  
3 communications through said short range and said long range,  
4 whereby telephone usage may be billed at different rates.

Claims 19-22 (cancelled)

REMARKS

Applicant thanks the Examiner for the telephone interview granted on February 11, 2004. As a result of this interview, and a thorough review of the cited prior art, Applicant has amended the claims herein in order to distinguish the claims over the combination of the three references involved in the rejection under 35 U.S.C. 103(a).

Since claims 19-22 have been cancelled, the rejection under 35 U.S.C. 102(b) over Rousseau is no longer an issue.

The claims as amended, now include all of the respective limitations of dependent claims 10 and 16. Claims 1-4, 6, 7, 10, 15, 16, and 19-22 have been cancelled. The limitations of dependent claims 10 and 16 have respectively included in remaining independent claims 5 and 14. Accordingly, remaining claims 5, 9, 11-14, 17 and 18 are submitted to be unobvious and thus patentable over the combination of Rousseau (US6,141,547) in view of Wenk (US6,253,088) further in view of Gillig (US6,141,560).

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As Examiner and Applicant's attorney agreed in the interview, the combination of Rousseau and Wenk does disclose the broadest aspects of the present invention i.e. a wireless telephone system in which the wireless telephone member (handheld receiver/transmitter) may act as a cordless telephone when within the short range frequency of the cordless base and act as a long range wireless, e.g., cell phone when beyond the short range of the base.

However, in this interview, Applicant stressed that the implementation by which the telephone system of this invention handled the telephone communication to determine whether it was a long range or short range wireless communication was quite different from that taught by the references. The Examiner relies on a third reference, Gillig as a teaching of Applicant's unique determination of the type of wireless communication. Applicant submits that Gillig does not disclose Applicant's system.

In Applicant's system, upon the initiation of the telephone call, an attempt is made to connect the call through the cordless base. If successful, the communication is complete, and the call proceeds through the base as a cordless telephone call. If the call can not be completed i.e. the base is out of range, then the call is automatically switched to the long range communication through the base station for the wireless area (this is described with respect to Fig. 3, steps 53-57 in the present drawings). The procedure in Gillig is more complex. With reference to Fig. 6, and as referred to by Examiner, col 5, lines 52-54 to col 6, lines 1-6, if the system is set for a cordless preference, then when a call arrives, a security code is sent to the base station, and a return security code awaited before the telephone call is put through to the cordless base station. Thus, in Gillis, the call is not

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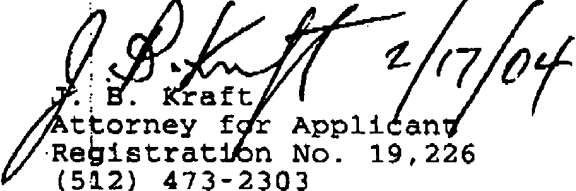
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initially put directly through to the cordless base station. It is only after a return signal is received from the base station indicating that the base is within range that the call is put through. It is submitted that this is quite different from the claimed implementation of the present invention.

In view of the foregoing, Applicant submits that claims 5, 9, 11-14, 17, and 18 as amended are in condition for allowance, and such allowance is respectfully requested.

Respectfully submitted,

  
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